



भारतीय प्रतिरक्षा मजदूर संघ

BHARATIYA PRATIRAKSHA MAZDOOR SANGH

(AN ALL INDIA FEDERATION OF DEFENCE WORKERS)

(AN INDUSTRIAL UNIT OF B.M.S.)

(RECOGNISED BY MINISTRY OF DEFENCE, GOVT. OF INDIA)

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Ref: BPMS / CSMA / 156 (8/1/L)

Dated: 25.10.2014

To,
The Under Secretary, D(Civ-II),
Govt of India, Min of Defence,
'B' Wing, Sena Bhawan,
New Delhi - 110011

Subject: Reimbursement of Medical claim pertaining to in-patient treatment to the Defence Civilians who are getting Fixed Medical Allowance.

Reference: MOD ID No. 9(1)/2010/D(Civ-II), Dated 09.09.2014

Respected Sir,

With due regards, it is submitted that this Federation has raised the subject matter before the Secretary, MOH&FW and Min of Defence on 05.07.2011 and reminded from time to time that Fourth Central Pay Commission (04th CPC) recommended in Para 16.9 as under;

“We recognize that employees covered by Medical Reimbursement Scheme (MRS) under the Central Services (Medical Attendance) Rules, 1944 are experiencing difficulties as regards the treatment and reimbursement of expenses incurred by them. There is also considerable administrative and accounting work involved in the settlement of claims. Various kinds of malpractices in the scheme have also brought to our notice. We, therefore, recommend grant of a Fixed Medical Allowance of Rs. 25/- per month for outdoor treatment to all employees covered by MRS. The expenses incurred on special diseases (cancer, diabetes, mental diseases, poliomyelitis, tubercular diseases and leprosy) and hospitalization may continue to be reimbursed to all employees as at present under the scheme”.

The above recommendation of 04th CPC was discussed in National Council (JCM) in length and official side concluded the matter, thereupon Govt decided & issued instructions vide G.O.I., M.H., O.M. No. S-14020/1/88-MS, dated 11.07.1990 published as Govt of India's Decisions No. (9) below Rule 2 of CS (MA) Rules, 1944 which reads as under:

“Subject: CS (MA) Rules, 1944 – Grant of Fixed Medical Allowance to the staff working in the interior.

In the National Council of J.C. M., the Staff Side has demanded for grant of Medical Allowance to the staff working in the interior where no Authorized Medical Attendant is available within a radius of 5 kms.

2. This matter has been considered by the Government and now it has been decided that quantum of medical allowance of Rs. 25/- (Rupees twenty five only) per month per employee working in the interior where no Authorized

Medical Attendant is available within a radius of 5kms, may be granted on the condition,

(i) The Head of the Department should obtain a Certificate from an appropriate District Authority that there is no State Government/Local Body Hospital/Dispensary available within a radius of 5 kms. and also there is no qualified medical practitioner available and if available he is not willing to be appointed as Authorized Medical Attendant.

(ii) The position will be reviewed every three years and a fresh certificate is to be obtained by the Head of Department.

This issues with the concurrence of the Ministry of Finance (Department of Expenditure and the Department of Personnel and Training.”

It is worth to mention here that it was not introduced as optional / replacement of CS (MA) Rules but it was supplement or additional benefit for the employees residing in interiors. Hence, the reimbursement of medical expenses for indoor treatment were allowed by the Govt of India though the employee was drawing Rs. 25/- per month FMA.

It is also to be noted that the matters concluded by the Official side at meeting of the National Council (JCM) will not be reversed by later decision of the Govt as per instructions issued by Govt of India on Joint Consultative Machinery & Compulsory Arbitration.

Subsequently, Fifth Central Pay Commission (5thCPC) also recommended in Para 114.24 on the subject matter as under;

“We are in favour of a greater freedom of choice in obtaining medical aid and advice, where Central Government is unable to organize its own facilities for employees. Such a freedom, while aiming at development of employees within their own responsibilities, will reduce much of clerical work involved in medical reimbursement claims for day-to-day need. For serious ailments and hospitalizations, however, we still do not see any justification for removal of restrictions. Accordingly, **we recommend that in areas presently covered by Medical reimbursement Scheme for outpatient purposes a medical allowance of Rs. 100/- per month per employee may be granted only for outpatient facilities, not provided by either CGHS or any departmental medical facilities.**”

Thereupon Govt issued instructions to enhance the quantum of FMA to Rs. 100/- from Rs. 25/- per month per employee vide G.O.I., M.H., O.M. No. S-14020/1/88-MS, dated 18th Jan, 1999, for employee working in interior where no Authorized Medical Attendant is available within a radius of 05 km, and if available, he is not willing to be appointed as AMA.

But this O.M. does not prohibit for reimbursing the medical expenses in case the Government Employee or his dependant is being treated as ‘indoor patient’ because the employee is being granted the Fixed Medical Allowance for the reimbursement of consultation fees paid to any doctor available in the interior areas. Even the employee has to bear the cost of medicines prescribed by such doctors and in such circumstances he is authorized for reimbursement of cost of medicines, any pathological test etc. as ‘Out Door Patient’.

Simultaneously, on the recommendation of 5th CPC, Govt introduced Fixed Medical Allowance of Rs. 100/- per month from 01.12.1997 to Central Government Pensioners/family Pensioners not covered under CGHS vide DOP&PW, O.M. No. 45/57/97-P&PW, dated 19.12.1997. According to this scheme, a pensioner/family pensioner may opt either CGHS facility or Fixed Medical Allowance of Rs. 100/ which has been enhanced to Rs. 300/- vide your O.M. No. 390/2010-MS, Dated 14th July, 2010. Since the issuance of the O.M. dated 19.12.1997 the medical reimbursement of the Govt employee and their family members has been discontinued.

It is to be kept in the mind that the DOP&PW, O.M. No. 45/57/97-P&PW, dated 19.12.1997 is concerned with the payment of Fixed Medical Allowance to the pensioners/family pensioners, where CGHS facility is not available, on the recommendation of 5th CPC, whereas this federation is raising the issue of Fixed Medical Allowance being granted to serving employees residing in the interior area and who are under the purview of CS (MA) Rules, 1944 and have been granted Rs. 25/ per month vide G.O.I., M.H., O.M. No. S-14020/1/88-MS, dated 17th July, 1990, 28th Sep, 1991 and the quantum enhanced to Rs. 100/- per month vide G.O.I., M.H., O.M. No. S-14020/1/88-MS, dated 18th Jan, 1999.

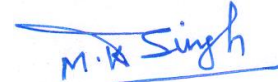
The employee residing in the interior area has no option to avail outpatient medical facility from any source of Central Government/State Government/Local Municipality/Private Medical practitioner appointed as Authorized Medical within a radius 05 km, hence he has been compelled/granted by Central Government to accept Rs. 25/- or 100/- as FMA and whenever such medical facility will be provided to him, this FMA will be discontinued forthwith.

Further, this federation has raised the issue through online Public Grievance Redressal System before Ministry of Health and Family Welfare, Govt of India (Grievance Registration No. DHLTH/E/2014/00820) & Department of Expenditure, Min of Finance (Grievance Registration No. DOEXP/E/2014/00164). Dept of Exp, Min of Finance has intimated that the proposal sent by MoHFW for reimbursement of in-patient medical expenses to serving Govt. employees in remote areas, is being considered by them.

Therefore, you are requested to liaise with the concerned authorities of Min of Finance, Dept of Expenditure (SO E.V) so that genuine grievances of the serving employees who are getting FMA Rs. 100/- per month may be resolved without further delay by reimbursement of the medical expenses for indoor treatment.

Thanking you.

Sincerely yours



(MUKESH SINGH)

Secretary/BPMS &

Member, JCM-II Level Council (MOD)



सत्यमेव जयते

PORTAL FOR

PUBLIC GRIEVANCES

Brought to you by Department of Administrative Reforms & Public Grievances
Government of India

Status as on 25 Oct 2014

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|------------------------------|--|
| Registration Number | : DOEXP/E/2014/00164 |
| Name Of Complainant | : Bharatiya Pratiraksha Mazdoor Sangh |
| Date of Receipt | : 06 Sep 2014 |
| Received by | : Department of Expenditure |
| Forwarded to | : SO E.V |
| Contact Address | : 28, North Block, New Delhi 110001 |
| Contact Number | : 23092604 |
| Grievance Description | : Reimbursement of Medical Expenses where Payment of Fixed Medical Allowance is allowed to staff working in the interior (mostly Defence Civilians) where AMA not available. The employee residing in the interior area has no option to avail outpatient medical facility from any source of Central Government or State Government or Local Municipality or Private Medical practitioner appointed as Authorized Medical within a radius 05 km, hence he has been compelled or granted by Central Government to accept Rs. 100 per month as FMA. This issue is being considered by Department of Health and Family Welfare under Ministry of Health and Family Welfare which states (grievance Regn no. DHLTH/E/2014/00820) that the matter is already under consideration in the Ministry and the views/comments have been sought from Dept. of Expenditure, DoPT and Ministry of Defence. It is requested to issue necessary directives to the authorities to reimburse the medical claims for indoor treatment where the serving employees are getting FMA Rs. 100/- per month. |
| Current Status | : CASE CLOSED |
| Date of Action | : 08 Oct 2014 |
| Details | : The proposal sent by MoHFW for reimbursement of inpatient medical expenses to serving Govt. employees in remote areas, is being examined in this Department. |